

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

BRUCE PHILLIPPI, aka, Robert M.  
Ray,

Petitioner,

vs.

CLARK E. DUCART,

Respondent.

CASE NO. 14cv1310 DMS (MDD)

**ORDER (1) ADOPTING  
MAGISTRATE JUDGE'S REPORT  
AND RECOMMENDATION AND  
(2) DENYING PETITION**

On May 27, 2014, Petitioner Bruce Phillippi ("Petitioner"), a state prisoner proceeding *pro se*, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On January 12, 2016, Magistrate Judge Mitchell D. Dembin issued a Report and Recommendation ("R&R") recommending that the Court deny the petition. Both parties filed objections to the R&R, Respondent filed a reply to Petitioner's objections and Petitioner filed a surreply.

This Court, having reviewed *de novo* the Magistrate Judge's R&R and the objections, reply briefs, surreply brief and other briefs and documents attached thereto, adopts the Magistrate Judge's recommendation in full and **DENIES** the petition for a

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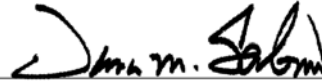
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1 writ of habeas corpus. The Court finds no basis for a certificate of appealability. The  
2 Clerk of Court shall enter judgment accordingly, and terminate this case.

3 **IT IS SO ORDERED.**

4 DATED: May 9, 2016



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6 HON. DANA M. SABRAW  
7 United States District Judge  
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